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(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To require the Secretary of Health and Human Services to study State efforts to regulate certain uses of nitrous oxide, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mrs. TORRES of California introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_

**A BILL**

To require the Secretary of Health and Human Services to study State efforts to regulate certain uses of nitrous oxide, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Myles Edward Scott  
5       Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

1           (1) Nitrous oxide, also known as laughing gas,  
2           is regulated at the Federal level by the Food and  
3           Drug Administration as a food-grade propellant and  
4           designated medical gas.

5           (2) The racing car industry also uses nitrous  
6           oxide to increase an engine's power output by inject-  
7           ing it into an internal combustion engine.

8           (3) Over 1 million adolescents and young adults  
9           in the United States have used nitrous oxide illicitly  
10          for recreational purposes.

11          (4) Use of nitrous oxide can cause headaches,  
12          drowsiness, breathing difficulty, or asphyxia, which  
13          can lead to a lapse into unconsciousness or death.

14          (5) Myles Edward "Eddie" Scott was killed in  
15          a single car accident on Interstate 10 in San  
16          Bernardino County, California, on June 5, 2014,  
17          one week after he earned his high school diploma,  
18          after the driver of the vehicle in which he was a pas-  
19          senger passed out after inhaling nitrous oxide.

20          (6) The Food and Drug Administration's Office  
21          of Criminal Investigations has investigated busi-  
22          nesses that purport to sell nitrous oxide for car rac-  
23          ing applications but knowingly sell nitrous oxide to  
24          customers solely for recreational drug use.

1           (7) It is a violation of the law in many States  
2           to sell nitrous oxide for recreational purposes.

3           (8) Studying the effectiveness of State laws  
4           prohibiting the recreational use of nitrous oxide is a  
5           necessary first step in examining what role the Fed-  
6           eral Government should play to protect the health of  
7           the public in regards to recreational use of nitrous  
8           oxide.

9   **SEC. 3. REPORT.**

10          Not later than 1 year after the date of enactment  
11          of this Act, the Secretary of Health and Human Services,  
12          in consultation with the Director of the Centers for Dis-  
13          ease Control and Prevention, the Commissioner of Food  
14          and Drugs, the Assistant Secretary for Mental Health and  
15          Substance Use, the Administrator of the Environmental  
16          Protection Agency, the Chairman of the Consumer Prod-  
17          uct Safety Commission, and other relevant Federal agen-  
18          cies, shall—

19                (1) conduct a study on State regulatory require-  
20                ments with respect to nitrous oxide that is manufac-  
21                tured and sold for use in consumer applications; and

22                (2) submit a report to Congress on the results  
23                of the study and containing recommendations for  
24                Federal requirements with respect to such manufac-

- 1        ture and sale that are needed to protect human
- 2        health and safety.